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Testimony

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Change in Approach Needed To
Improve the Bureau of Land Management's
Oversight of Public Lands

Statement of
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Before the
Subcommittee on National Parks and
Public Lands
Committee on Interior and
Insular Affairs
House of Representatives



Dear Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to discuss the results of our work on the Department of the Interior's Bureau of Land Management's (BLM) public lands management activities. Our work on these activities spans more than a decade and covers a wide variety of issues.¹ Over the years, we have consistently pointed out that BLM is not exercising balanced stewardship over the public lands as required by its multiple-use and sustained-yield mandates. In many instances, BLM has been more concerned with either the immediate needs of special interest groups or budget reductions than with ensuring the long-term health of the resources.

In my statement today I will briefly summarize the management principles that the Congress established to guide BLM's activities, provide examples to support our view that BLM has not adequately applied these principles, and address the actions that we believe are necessary to improve BLM's performance.

MULTIPLE-USE/SUSTAINED-YIELD MANDATE

Historically, public lands administered by BLM were viewed as wastelands warranting little management attention. In keeping with this view, intensive livestock grazing on these lands was not regulated until enactment of the Taylor Grazing Act in 1934. Even after this date, the operating federal philosophy was to assume a custodial role over these lands pending their ultimate disposal to other parties. As a consequence, the public lands that had already been badly damaged by decades of overgrazing and unregulated mining activity continued to deteriorate.

¹See attachment I for a listing of recent GAO reports and testimonies addressing BLM's public lands management activities.

In 1976, the Congress sought to change this philosophy by enacting the landmark Federal Land Policy and Management Act (FLPMA). This act established the policy that public lands were to be retained in federal ownership and that their deteriorated condition should be improved. Further, FLPMA directed that BLM lands be managed under the principles of multiple-use and sustained-yield. The multiple-use principle requires BLM to manage the public lands in balanced fashion for the benefit of all uses. In defining this principle the act stated that fish and wildlife, recreation, ecological preservation, watershed, historical, and other values should be given consideration as BLM works out a combination of uses that best meets the present and future needs of the American people. The sustained-yield principle requires BLM to have a long-term perspective in its management actions to ensure that the land's productive capacity is maintained in perpetuity. Under the act, the land should not be abused or have its productivity permanently impaired in order to maximize commercial output or economic return. In 1978, the Public Rangelands Improvement Act reaffirmed this national policy and commitment.

EVIDENCE OF UNBALANCED BLM MANAGEMENT

Our work has shown that BLM has not adequately balanced the competing demands on the natural resources that it is mandated to foster, protect, and preserve. BLM has often placed the needs of commercial interests such as livestock permittees and mine operators ahead of other users as well as the long-term health of the resources. As a result, some permittees have come to view the use of these lands as a property right for private benefit rather than a conditional privilege conferred by the public at large. Unbalanced management has been a recurring theme in our reports on rangeland management and hardrock mining as well as our ongoing reviews in these and other areas.

Rangeland Management

Our 1988 reports and testimonies on rangeland conditions and riparian area restoration issued to this Subcommittee exemplify BLM's management philosophy. We found that almost 60 percent of the grazing allotments for which BLM range managers had current status information were in less than satisfactory condition. Further, only about one-fourth of the allotments whose status was known were improving while the remainder were either stable or declining. Despite this generally unsatisfactory condition, range managers told us that a significant portion of grazing allotments continued to be overstocked. Moreover, on 75 percent of the allotments threatened with overgrazing, BLM had not scheduled any action to reduce authorized grazing levels. BLM range managers told us that permittee resistance and the political climate in BLM were significant factors contributing to BLM's inaction.

We found more pronounced deterioration in the ecologically critical riparian areas--the thin strips of green bordering rivers, streams, and lakes. Thousands of miles of streams are in degraded condition largely because of poorly managed livestock grazing. When these streambanks are trampled and stripped of vegetation by livestock, fish habitat is destroyed; surrounding water tables drop; erosion increases; and the availability of water, cover, and forage for wildlife is reduced.

BLM staff in the field have demonstrated that dramatic improvements in the condition of riparian areas are possible when livestock grazing is brought under control. As we showed pictorially in our report, some of the successes achieved have been nothing short of remarkable as denuded eroded streambanks were restored to vibrant condition in only a few years. However, these success stories represent only a tiny fraction of the total stream miles needing improvement. Greater progress in this area has been blocked by a lack of both upper management support and

staff. Staff cuts in those positions needed to design and implement riparian area improvements have been deep. Equally important, many BLM staff members that remain told us that restoration efforts have been thwarted by BLM managers when those efforts are opposed by the ranchers with grazing permits. The staff pointed out specific instances where permittees responsible for livestock trespass in designated riparian recovery areas were not penalized even though the livestock and associated permittee actions had caused heavy damage.

In contrast with BLM, field staff in the Department of Agriculture's Forest Service--a sister agency with similar rangeland management responsibilities--report much greater support from their top management when tough decisions to reduce or alter livestock grazing patterns are necessary.

Hardrock mining

We have made similar observations in our work in the hardrock mining area. Here, too, BLM land protection requirements are much less demanding than those of the Forest Service on the industry--in this case mine operators. Unlike the Forest Service, BLM regulations generally do not require mine operations on five or fewer acres to post financial guarantees designed to ensure that funds are available for reclamation after mining is completed. Further, although BLM can require bonds for operations that disturb more than five acres, it rarely does. In this loosely regulated environment, we found in 1986 that of 556 mining operations, BLM required only 1 to post a bond. When many of these sites were subsequently visited by BLM, more than a third were unreclaimed. We subsequently estimated in 1988 that the total bill for reclaiming hard rock mine sites in 11 western states would reach \$284 million. If these sites are to be reclaimed, it is likely that much of the funding to reclaim them will have to come from the federal treasury.

Observations from ongoing work

Our ongoing assignments for this Subcommittee and other requesters on various public land management issues are demonstrating that the problems described in our previous reports are not isolated occurrences. Our preliminary observations on these current assignments are that when the interests of fish and wildlife, wild horses, or other noncommercially oriented values conflict with those of commodity groups, the latter usually prevail. For example, we have identified a number of cases where BLM has not controlled livestock grazing to maintain wildlife habitat and protect endangered species and other species experiencing rapid population declines. Our work has also revealed that BLM has not equitably treated wild horses and domestic livestock in devising approaches to reduce overgrazing. BLM has been reluctant to reduce authorized livestock grazing levels in many allotments while at the same time it removed thousands of horses. Further, our work has demonstrated that BLM is not adequately addressing the environmental consequences of oil and gas development in its land use planning process.

KEYS TO IMPROVING BLM'S PERFORMANCE

In our previous reports, we have made numerous specific recommendations to Interior and BLM aimed at correcting individual program weaknesses. The agencies' responsiveness to these recommendations has been mixed. In some cases, such as our recommendations on riparian area management, BLM and Interior have reacted positively and have begun some actions to implement them. In other cases, such as our report on rangeland conditions, Interior was much less receptive raising doubts that substantive improvements will be made.

While BLM has initiated some actions to better comply with the congressional mandates of multiple-use and sustained-yield, the

impetus for these actions has often not come from within the agency. Rather, it has resulted largely from congressional oversight and legal actions generated by widespread recognition that much of our public lands is in unsatisfactory condition and needs immediate attention to begin its repair. If improvements in the management of public lands remain dependent on periodic outcries from outside the agency, they will continue to be spotty and the overall condition of the public's resources will not improve substantially.

For substantive progress to be made, we believe there will have to be a fundamental change in the approach of the agency responsible for conducting day-to-day management of the public lands. For this to occur, BLM will have to abandon its historical identification with the interests of livestock permittees and other commercial interests. In its stead, BLM and Interior management will have to demonstrate the institutional will to effectively implement the principles of multiple-use and sustained-yield as mandated by FLPMA. Business-as-usual simply will not do if the Congress' expectations as set forth in FLPMA are to be realized.

Because we are talking about a fundamental change in course for an entire agency, we recognize that completing the change will take some time. We do believe, however, that there are a number of specific signs to look for that would indicate such change was beginning. These signs include

- a concerted effort to reduce permitted levels of grazing on allotments where overstocking is adversely affecting the land,
- more rigorous enforcement of grazing permit conditions and application of sanctions against permittees found guilty of trespass or other abuses of their permits, and

-- more responsible mining regulation that would require operators of mines causing significant surface disturbance to post financial guarantees to ensure mine sites will be reclaimed.

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Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions you or members of the Subcommittee may have.

RECENT REPORTS AND TESTIMONIES ON
BLM PUBLIC LANDS MANAGEMENT

Public Rangelands: Some Riparian Areas Restored but Widespread Improvement Will Be Slow (GAO/RCED-88-105, June 1988)

Interior Issues (GAO/OCG-89-24TR, November 1988)

Rangeland Management: More Emphasis Needed on Declining and Overstocked Grazing Allotments (GAO/RCED-88-80, June 1988)

Rangeland Management: Grazing Lease Arrangements of Bureau of Land Management Permittees (GAO/RCED-86-168BR, May 1986)

Federal Land Management: An Assessment of Hardrock Mining Damage (GAO/RCED-88-123BR, April 1988)

Public Lands: Interior Should Ensure Against Abuses From Hardrock Mining (GAO/RCED-86-48, March 1986)

Public Lands: Interior Should Recover the Costs of Recording Mine Claims (GAO/RCED-86-217, September 1986)

Federal Land Management: Limited Action Taken to Reclaim Hardrock Mine Sites (GAO/RCED-88-21, October 1987)

Importance of Financial Guarantees for Ensuring Reclamation of Federal Lands (GAO/T-RCED-89-13, March 1989)

Management of Public Rangelands by the Bureau of Land Management (GAO/T-RCED-88-58, August 1988)

Restoring Degraded Riparian Areas on Western Rangelands (GAO/T-RCED-88-20, March 1988)